

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

**CIRIACO PUCILLO,**  
**Plaintiff,**  
**v.**  
**METSO PAPER, INC. AND**  
**VALMET CONVERTING, INC.**  
**Defendants.**

**Case No. 03-CV-12359 MLW**

**[PROPOSED] ORDER**

This matter having come before the Court on the Joint Motion To Modify Scheduling Order filed by Plaintiff and Defendants on November 22, 2005, in order to establish a pretrial schedule beyond the events scheduled by this Court in the Scheduling Order issued on August 11, 2004. Inasmuch as all matters established in the existing Scheduling Order have been satisfied, the Court, upon consideration of the joint motion and the record in this case as a whole, does hereby GRANT the joint motion and ORDER the following:

- 1) the parties may commence discovery relating to expert and opinion witnesses effective immediately;
- 2) the Plaintiff shall serve his disclosures required by Fed. R. Civ. P. 26(a)(2) within sixty (60) days of this Order, and Defendants shall complete any depositions of the persons so disclosed within thirty (30) days of the disclosure;
- 3) the Defendants shall be permitted to conduct an Independent Medical Examination within sixty (60) days of the date of Plaintiff's Rule 26(a)(2) disclosures, with a report to follow within a reasonable period;

4) the Defendants shall serve their disclosures required by Fed. R. Civ. P. 26(a)(2) within ninety (90) days of the date of Plaintiff's Rule 26(a)(2) disclosures, and Plaintiff shall complete any depositions of the persons so disclosed within thirty (30) days of the disclosure;

5) all discovery shall close thirty (30) days after the date of Defendants' Rule 26(a)(2) disclosure;

6) any party may file a motion for summary judgment at any time, but all such motions shall be filed no later than thirty (30) days after the close of discovery; and

7) all parties shall report to the Court in writing within thirty (30) days of the close of discovery the prospects for settlement.

It is so Ordered, this \_\_\_\_ day of November, 2005.

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United States District Judge